

Message

From: Deamer, Eileen [deamer.eileen@epa.gov]
Sent: 11/6/2018 5:23:55 PM
To: Nelson, Leverett [nelson.leverett@epa.gov]; Holst, Linda [holst.linda@epa.gov]; Poy, Thomas [poy.thomas@epa.gov]; Baltazar, Debbie [baltazar.debbie@epa.gov]
Subject: FW: Lawsuit alleges 3M and Georgia-Pacific caused Parchment PFAS emergency

fyi

From: Bassler, Rachel
Sent: Tuesday, November 06, 2018 10:26 AM
To: Kelley, Jeff <kelley.jeff@epa.gov>; Rowan, Anne <rowan.anne@epa.gov>; Lippert, Allison <lippert.allison@epa.gov>; Deamer, Eileen <deamer.eileen@epa.gov>
Subject: Lawsuit alleges 3M and Georgia-Pacific caused Parchment PFAS emergency

In case you hadn't seen this...

https://www.mlive.com/news/kalamazoo/index.ssf/2018/11/3m_and_georgia-pacific_sued_fo.html?utm_source=twitter&utm_campaign=mlive_sf&utm_medium=social

Lawsuit alleges 3M and Georgia-Pacific caused Parchment PFAS emergency

MLive: [Malachi Barrett](#)

PARCHMENT, MI -- A Detroit law firm filed a federal class action lawsuit alleging 3M and Georgia-Pacific are responsible for contaminating Parchment's municipal drinking water.

Liddle & Dubin P.C. filed the lawsuit in U.S. District Court in Grand Rapids Thursday, Nov. 1. Three Parchment residents, on behalf of others affected, are seeking financial compensation and funding to evaluate the health of people exposed to PFAS, according to the complaint.

Georgia-Pacific operated a manufacturing plant in Parchment and was responsible for closing a landfill used by other companies previously at the site. At least one manufacturer used a 3M-patented grease repellent which contained PFAS.

Parchment's municipal well field neighbors the landfill, considered a likely source of contamination by the Michigan Department of Environmental Quality. Tests found PFAS levels at one spot were 164 times greater than an EPA health advisory for human exposure.

The lawsuit alleges Georgia-Pacific failed to close the 84-acre landfill in a way that would prevent contaminants from leaching into the nearby water source.

A spokesperson for Georgia-Pacific said there is no "direct link" between the landfill and Parchment's contaminated wells.

The complaint alleges 3M engaged in a campaign of "disinformation and deceit" which allowed PFAS to be used decades after allegedly determining its negative effects on human health.

"Defendants knew or should have known of the likelihood that PFAS contamination would migrate into plaintiffs' drinking water," the lawsuit states.

A 3M spokesperson said Thursday that it "acted responsibly in connection with products containing PFAS and will vigorously defend its environmental stewardship."

"Georgia-Pacific has a history of working cooperatively with the state of Michigan on environmental issues and we will continue to do so," a spokesperson for the company said.

Parchment, "the Paper City," was founded around paper factories built along the Kalamazoo River in 1909. Mills historically used PFAS to coat specialty papers for the food industry, leaving a legacy of contamination that wasn't discovered until July.

Gov. Rick Snyder's statewide testing initiative found extremely high levels of the toxic compound in groundwater wells feeding Parchment's water system.

More than 3,100 people in Parchment and Cooper Township were provided bottled water before the city of Kalamazoo connected its water system to Parchment. Private well owners were given filters by MDEQ.

Residents were told to drink from the tap again on Aug. 27, but it remains unclear how long people were exposed to the toxic compounds.

The lawsuit seeks periodic medical examinations to detect diseases related to PFAS exposure. Health officials link exposure to pregnancy-induced hypertension, liver damage, increased risk of thyroid disease, cancer and other issues.

Georgia-Pacific was one of many manufacturers which operated in Parchment, including Kalamazoo Vegetable Parchment Co. Brown Co. and James River Corp, which later became Fort James Corp.

James River formed Crown Vantage Paper Co. in 1995 to take over its printing, writing, and specialty paper operations.

In 2000, Crown Vantage declared bankruptcy and shuttered most of its manufacturing complex in Parchment the next year. Two landfills, now owned by Cooper Township, a wastewater treatment plant and wastewater lagoons were also owned by the company.

A federal judge and Michigan's Department of Environmental Quality allowed the Crown Vantage to abandon its contaminated properties. A federal court in California found the properties didn't represent an "imminent and identifiable hazard" to public health and safety.

Also in 2000, Georgia-Pacific acquired Fort James Corporation for \$11 billion. Georgia-Pacific would operate its Epic manufacturing plant on a section of the Parchment complex until the end of 2015.

Spokesperson Gail Smith said some of the paper grades used there contained PFAS, but they were applied where the paper was made, not at the Epic plant.

Georgia-Pacific entered an agreement with MDEQ to monitor the landfills and create a plan to close them two years after acquiring Fort James, according to the lawsuit. Plaintiffs allege MDEQ told Georgia-Pacific in 2002 that the landfill was contaminating the Kalamazoo River.

The lawsuit states the landfill was overfilled by 60,000 cubic yards when it finally closed. Smith said she "heard nothing" about that claim until asked by MLive.

Meanwhile, documents obtained through the Freedom of Information Act show Parchment failed to act after receiving multiple warnings that its drinking water was at risk.

A 1992 wellhead protection report was completed to comply with the Safe Drinking Water Act. It found "several existing contamination sites," including landfills owned by James River Corp.

Letters from MDEQ to the city of Parchment in 2002 and 2004 warned the city's municipal wells were "highly susceptible to potential contaminants." Underground storage tanks leaking at the James River property and several landfills were thought to present a contamination risk.

The lawsuit alleges 3M prevented the risks associated with PFAS from being known to the public. It alleges the Minnesota manufacturing giant was aware of the threat its products posed since the 1960s.

The 3M began phasing out products based on PFAS in 2000.

"EPA and other regulatory bodies could have taken action sooner had (3M) not hidden, suppressed and otherwise buried important information about the impacts of PFAS," the lawsuit states.

This summer, Snyder asked Attorney General Bill Schuette to sue 3M over groundwater contamination linked to products it created, particularly a firefighting foam that contains PFAS chemicals. The company has been sued by several other states and counties.

Last month, Georgia-Pacific stepped forward to identify the source of PFAS contamination in Parchment. Georgia-Pacific volunteered to expand testing, install new monitoring wells and assist the state in conducting a hydrogeological study.

Spokesperson Karen Cole said the company contacted MDEQ on Sept. 7 after learning about contamination in Parchment through media reports.